

Senate Bill 162
January 27, 2009
Presented by Chris Smith
Senate Fish and Game Committee

Mr. Chairman and committee members, for the record I am Chris Smith, Deputy Director of Montana Department of Fish, Wildlife & Parks (FWP).

Wildlife management is a complex and dynamic process designed to achieve social objectives within the biological capacity of a given wildlife population. In Montana, as in virtually every other state, the legislature has delegated responsibility for setting seasons, bag limits, permit numbers, methods of take and other details related to hunting, fishing and trapping to a citizen commission. This approach works well because the FWP Commission process provides an effective means for all perspectives to be heard and decisions to be made in a timely fashion, in response to the many biological and social factors that affect every decision.

SB 162 would restrict the FWP Commission's ability to reduce permit numbers for deer, elk and antelope hunting below the 2007 level unless the hunter success rate within a hunting district exceeds an average of 30% for the previous three years. FWP opposes SB 162 because it imposes an unnecessary and - frankly - unworkable constraint on the FWP Commission's ability to manage permit numbers.

Consider, for example, what this language would mean in an area where deer, elk or antelope numbers were declining due to harsh winters or predation. As deer, elk or antelope numbers decline, so would hunter success rates. SB 162 would make it impossible for the FWP Commission to lower permit numbers, so hunting pressure would constantly increase, relative to the remaining populations, accelerating the decline. There would be no way out of the downward spiral.

Even in circumstances where populations are stable or increasing there may be need to reduce permit numbers, independent of hunter success rates. Hunters may ask the FWP Commission to reduce permit numbers to reduce crowding, to provide for safety or less competitive hunting conditions or even to increase hunter success rates. Permits may need to be reduced to balance hunter numbers with available access and avoid excess pressure on individual landowners within a district. Additionally, fewer permits may be appropriate in a hunting district to adjust elk distribution through reduced hunter disturbance to increase harvest success as needed to reduce population numbers.

Current law provides the FWP Commission with the necessary flexibility to set permit numbers based on the myriad of factors that influence wildlife management. The FWP Commission makes its decisions after considering recommendations from FWP field staff and input from all interested parties. SB 162 constrains the FWP Commission's decision-making in a way that is counter-productive and unnecessary.

FWP recommends the Committee table SB 162.